IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 28TH MARCH 2007 / 7TH CHAITHRA 1929

Crl.Rev.Pet.No. 1317 of 2007()

AGAINST THE ORDER DATED 20/12/2006 IN ORDER IN
CR.M.P.3382/2006 of JUDL.MAGISTRATE OF FIRST CLASS COURT, TALIPARAMBA

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REVN. PETITIONER/ PETITIONER/COMPLAINANT:

T.M.MATHACHAN, S/O MICHAEL,
MANAGING DIRECTOR, THULAVANIKKAL PIPES PVT.LTD.,
KUTTUKKAM COMPLEX, THALIPARAMBA POST,
THALIPARAMBA TALUK, KANNUR DISTRICT.

BY ADV. SRI.M.SASINDRAN
SRI.K.P.HARISH

RESPONDENTS/ RESPONDENT/ACCUSED:

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1. T.A.CHANDRAN, THENKUNNIL HOUSE,
MANTHANKUNDU, PALAYADU, TALIPARAMBA POST,
TALIPARAMBA TALUK, KANNUR DISTRICT.

2. STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 28/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU,J

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C.R.R.P.No.1317 OF 2007

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Dated this the 28th day of March,2007

ORDER

The revision petitioner is the complainant in the proceedings initiated under Section 138 of the Negotiable Instruments Act. The court below dismissed the same as the delay of seven days, according to the court, was not properly explained. According to the revision petitioner he happened to be out of station on official duty which was unavoidable. But he ought to have furnished required details before the court below. All the same the order of the court below is set aside. The court below is directed to provide an opportunity to the petitioner to furnish the details required and reconsider the matter. The revision petitioner shall appear before the Judicial First Class Magistrate Court, Thaliparamba, on 12.04.2007.

The Crl.R.P is allowed.

K.R.UDAYABHANU,JUDGE

dvs